77 Rec'd PCT/PTO 12 OCT 2001

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO PCT/FR00/00910 TITLE OF INVENTION DISPOSABLE SOUND RECORDING AND REPRODUCTION DEVICE APPLICANT(S) FOR DO/EO/US Jean-Pierre DUBOIS and Jean-Pierre LARZUL

Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following						
it	ems	and other information.				
1	۵.	This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.				
	£	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.				
,3 *		This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).				
4		A proper Demand for Internatl. Preliminary Examination was made by the 19th month from earliest claimed priority date.				
5	i. 🔲	A copy of the International Application as filed (35 U.S.C. 371(c)(2))				
		a. I is transmitted herewith (required only if not transmitted by the International Bureau).				
x.		b. has been transmitted by the International Bureau.				
		c. I is not required, as the application was filed in the United States Receiving Office (RO/US)				
6	S. 🔲	A translation of the International Application into English (35 U.S.C. 371(c)(2)).				
9	'. <b>_</b>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))				
		a. are transmitted herewith (required only if not transmitted by the International Bureau).				
		b.  have been transmitted by the International Bureau.				
		c. have not been made; however, the time limit for making such amendments has NOT expired.				
1		d. have not been made and will not be made.				
3	3. 🗆	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).				
		An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).				
4	0. 🗆	A translation of the annexes to the Internatl. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).				
		44 to 40 halous agreem other decument(a) or information included:				
	_	11. to 16. below concern other document(s) or information included:				
ł		An Information Disclosure Statement under 37 CFR 1.97 and 1.98.  An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.				
ı						
	3. <b>□</b> □	A FIRST preliminary amendment.				
١,		A SECOND or SUBSEQUENT preliminary amendment.  A substitute specification.				
	4. <b></b> 5. <b>_</b> _	A change of power of attorney and/or address letter.				
	6. <b>-</b>					
	U. 📟	International Search Report - EPO PCT/IB/304 Form First Page of Publication Amended pages and claims Small Entity Declaration				

The following fees are submitted:  Basic National Fee (37 CFR 1.492(a)(1)-(5)): International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (1)) \$710.00  No international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (2)) \$740.00  No international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (2)) \$740.00  Neither international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (3)) \$100.00  International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (3)) \$100.00  International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (3)) \$100.00  International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (5)) \$890.00  ENTER APPROPRIATE BASIC FEE AMOUNT =  Surcharge of \$130.00 for furnishing the oath or declaration later than \$90.00 \$100.00  ENTER APPROPRIATE BASIC FEE AMOUNT =  Surcharge of \$130.00 for furnishing the oath or declaration later than \$90.00 \$100.00  Claims Number Filed Number Extra Rate  Total Claims 8 - 20 = -0- x\$18.00 \$100.00  Independent Claims 1 - 3 = -0- x\$84.00 \$100.00  Multiple Dependent Claim(s) (if applicable) +\$280.00 \$100.00  Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$130 for furnishing the English translation later than \$100.00  Processing fee of \$100.00 for recording the enclosed assig							
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Amt. charged: \$							
<ul> <li>a. A check in the amount of \$ 485.00 to cover the above fees is enclosed.</li> <li>b. Please charge my Deposit Account No. 06-1358 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</li> </ul>							
c. The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. <u>06-1358</u> . A duplicate copy of this sheet is enclosed.							
SEND ALL CORRESPONDENCE TO:							
JACOBSON HOLMAN PLLC  400 7th Street, N.W., Suite 600 Washington, DC 20004 202-638-6666 CUSTOMER NUMBER: 00136	JPH&S 3/95						

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jean-Pierre DUBOIS et al.

Serial No.: New

Filing Date: October 12, 2001

FOR: DISPOSABLE SOUND RECORDING AND REPRODUCTION

DEVICE

Commissioner of Patents

Washington, D.C. 20231

Sir:

Prior to initial examination, please amend the above-identified application as follows:

#### IN THE SPECIFICATION

On page 1, immediately following the title, please insert the following sentence: --This is a nationalization of PCT/FR00/00910 filed April 10, 2000 and published in French.--

#### IN THE CLAIMS

Please amend claims 3, 6, 7 and 8 as follows:

3. (amended) Device according to Claim 1, characterized in that the recording means and the reproduction means are fixed on a printed circuit board (2).

- 6. (amended) Device according to Claim 1, characterized in that the removable element (11) is connected to the protecting film (9) by a tongue (10).
- 7. (amended) Device according to Claim 1, characterized in that the recording means comprise a microphone actuated by control means such as a button (4), and in that they further comprise a memory of erasable re-recordable type.
- 8. (amended) Device according to Claim 1, characterized in that the reproduction means comprise a loud-speaker actuated by control means such as a button (5).

#### **REMARKS**

The foregoing Preliminary Amendment is requested in order to delete the multiple dependent claims and avoid paying the multiple dependent claims fee.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned " <u>VERSION</u> <u>WITH MARKINGS TO SHOW CHANGES MADE.</u>"

Early action on the merits is respectfully requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Jonathan L. Scherer

Reg. No. 29,851

400 Seventh Street, N.W.

Washington, D.C. 20004-2201

(202) 638-6666

Atty. Docket: P67228US0

Date: October 12, 2001

JLS/cmf

#### VERSION WITH MARKINGS TO SHOW CHANGES MADE

- 3. (amended) Device according to <u>Claim 1</u> [one of the preceding Claims], characterized in that the recording means and the reproduction means are fixed on a printed circuit board (2).
- 6. (amended) Device according to <u>Claim 1</u> [one of the preceding Claims], characterized in that the removable element (11) is connected to the protecting film (9) by a tongue (10).
- 7. (amended) Device according to <u>Claim 1</u> [one of the preceding Claims], characterized in that the recording means comprise a microphone actuated by control means such as a button (4), and in that they further comprise a memory of erasable re-recordable type.
- 8. (amended) Device according to <u>Claim 1</u> [one of the preceding Claims], characterized in that the reproduction means comprise a loud-speaker actuated by control means such as a button (5).

#### DISPOSABLE SOUND RECORDING AND REPRODUCTION DEVICE

The present invention relates to portable devices adapted to record and reproduce a message and, in addition, provided with means for deactivating the recording function.

Such deactivating means make it possible not to erase the message accidentally once the user has made his/her recording, or to avoid a third party erasing the message.

French Patent Application No. 2 697 938 discloses such a portable device shaped as a post card in order to deliver to the addressee a previously recorded sound message.

However, this known device is not provided to be fixed to any object whatsoever, unless the post card is fixed on the object before or after the recording. It must therefore be provided to fix the device to the object, in relatively reliable manner, in particular if the object is then taken over by the postal services. Such fixation of the device involves additional manipulations in addition to the recording which already requires a series of manipulations, particularly for neutralizing the recording function.

U.S. Patent No. 5 836 616 describes an electronic calling card capable of delivering an audio message, but which does not comprise means for fixation on a support since it goes against the normal use of a calling card which is intended to be distributed. The device disclosed by document EP 0 277 276 does not comprise fixation means either.

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As for document GB 2 268 119, it discloses a card equipped with sound recording and reproduction means as well as means for deactivating the recording function.

However, the deactivation of the recording function is neither complete nor efficient since the means for fixing the device of this document do not forcibly allow this deactivation.

In effect, although the device is fixed on a letter or a supple support, the recording contacts are always accessible and some one or something can press against these contacts and involuntarily trigger off a recording.

In this context, the present invention has for its object to overcome these drawbacks by proposing a portable device adapted to record and to reproduce a sound message which is simple and rapid to fix on any support whatsoever, while ensuring that the message will not be erased.

To that end, according to the invention, the sound recording and reproduction device comprising recording means associated with means for reproducing said sounds, means for fixing said device on a support, said fixation means comprising an adhesive means associated with a removable protecting member, as well as means for irreversibly deactivating the recording function, is characterized in that the deactivating means comprise a removable element whose removal provokes a rupture of contact, and fast with the removable member for protecting the fixation means.

The adhesive means is advantageously a double-face adhesive tape and the removable protecting member is a detachable film.

The recording means and the reproduction means are preferably fixed on a printed circuit board.

According to a preferred embodiment, the recording means, the reproduction means and the deactivating means are fixed on a first face of the printed circuit board and the double-face adhesive element is fixed on the second face.

The removable element is preferably connected to the protecting film by a tongue.

Furthermore, according to another aspect of the invention, the recording means comprise a microphone actuated by control means such as a button, and in that they further comprise a memory of erasable re-recordable type.

In addition, the reproduction means advantageously comprise a loud-speaker actuated by control means such as a button.

The invention will be more readily understood in the light of the following description, relating to an illustrative but in no way limitative example of embodiment, with reference to the accompanying drawings, in which:

Figure 1 shows a three-quarter view in perspective of the device according to the invention.

Figure 2 shows a transverse section through the device of Figure 1.

Figures 3a to 3f show, seen in transverse section, the sequence of assembly of the device according to the invention.

Referring to Figure 1, the sound recording and reproduction device 1 according to the invention has been shown in perspective, in three-quarter view.

It presents a substantially quadrangular, and preferably substantially planar and square shape.

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The upper face 1a (also called front face) is slightly convex, while the lower face 1b (also called rear face) presents a relatively planar surface.

The dimensions of the device 1 may vary depending on the embodiments but advantageously, the length of one side is of the order of some centimeters, preferably between 5 and 10 centimeters, for a thickness of about 1 to 2 centimeters.

Figure 2 is a transverse section through the device 1, showing the implantation of the different components.

A printed circuit board 2, giving its substantially square shape to the device 1, comprises a lower face 2b, parallel to the lower face 1b of the device 1 and substantially at the same level.

On the upper face 2a of this board 2 are fixed the different components 3 of the sound recording and reproduction means, known per se and shown partially.

The recording means comprise for example a microphone, known per se, associated with a control means advantageously constituted by a button 4 as well as an erasable and re-recordable memory.

The sound reproduction means comprise for example a loud-speaker, likewise known per se, associated with a control means such as a button 5.

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These sound recording and reproduction means may take on any type of form and comprise all types of known components 3 necessary for the device 1 to function.

In order to protect the different components 3 fixed on the upper face 2a of the board 2, a supple protecting element 6 is provided. This supple element 6 is made for example of foam or fiber in order to follow the shapes of the components 3 perfectly, occupying a limited space.

The supple protecting element 6 is included between, on the one hand, the components 3 fixed on the upper face 2a of the board 2, on the other hand, a protecting membrane 7 covering the whole and being folded down on the lower face 2b of the board 2.

The membrane 7, constituted by a film of plastics material for example, or of plasticized paper, represents the upper face 1a of the device 1 and gives it its convex shape.

The end sides 7a and 7b of the membrane are folded down and fixed (by adhesion or any other known means) on the lower face 2b of the board 2. Over these flaps, totally covering the surface of the lower face 2b of the board 2, there is fixed an adhesive means 8.

This adhesive means is preferably constituted by a tape of adhesive paper of double-face type of which one of the faces is stuck on the lower face 2b of the board 2 and the other face is covered with a protecting film 9 materializing the lower face 1b of the device 1.

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The dimensions of this adhesive means 8 are strictly identical to those of the board 2 in order to perfectly cover the lower face 2b thereof without projecting over the edges.

The protecting film 9 presents the same dimensions as the adhesive tape 8 and the board 2 and on one of the sides there is connected a tongue 10 which is not stuck to the lower face 2b of the board 2.

This tongue 10 terminates, at its free end, in a removable element 11 constituting a means for deactivating the recording function.

To that end, the element 11 is removably connected to the recording means, for example at the level of the button 4 controlling recording.

According to the particular form of embodiment shown in Figure 2, the removable element 11 is constituted by a sort of tack effecting contact at the level of button 4. The presence of the element 11 allows recording, while its absence brings about elimination of the contact and thus preventing functioning of the recording means.

However, any other known means for deactivating the recording function can be envisaged.

The device 1 functions as follows:

Once the message is recorded by the user, he/she removes the protecting film 9 in order to reveal the adhesive tape 8 to fix the

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device 1 on any object or support whatsoever, such as flowers, a parcel to be dispatched or a gift, etc... On removing the protecting film 9, the user removes at the same time the removable element 11, fast with the protecting film 9 via the tongue 10.

Thus, by rendering the adhesive tape 8 active in order to fix the device 1 on a support, the user provokes at the same time deactivation of the recording means, consequently protecting his/her message.

Figures 3a to 3f describe, in transverse section, the sequence of assembly of the different elements composing the device 1, up to its fixation on any support 12 whatsoever (Figure 3f).

Figures 3a and 3b show the printed circuit board 2 associated with the different components 3 including in particular the sound recording (4) and reproduction (5) control buttons, all these elements being fixed on the upper face 2a of the board 2.

The supple protection 6 is positioned over all the components 3, at the level of the upper face 2a of the board 2.

In order to protect the whole, a protecting membrane 7 is arranged above the components 3 (Figure 3c) and is fixed on the board 2 via end sides 7a and 7b, constituting flaps stuck on the lower face 2b of the board 2.

This protecting membrane may advantageously comprise different inscriptions, such as the identification of the control buttons 4 and 5 or any other text or information.

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Figures 3d and 3e show the positioning of the means for fixing the device 1, comprising an adhesive tape 8 stuck on the lower face 2b of the board 2, over the folded down end sides 7a and 7b of the protecting membrane 7.

That face of the adhesive tape 8 which is not in contact with the board 2 is covered with a protecting film 9 on which may be printed any sort of text, such as for example the instructions for using the device 1.

On this protecting film 9 there is added a tongue 10 connecting said film 9 to the removable deactivating element 11 adapted to be connected to the recording means.

Figure 3e presents the device 1 ready for operation.

The removable element 11 is in contact with the recording control button 4. The tongue 10 connects this removable element 11, disposed at the level of the upper face 1a of the device, to the protecting film 9 corresponding to the lower face 1b of the device.

The user may record his/her message, listen to it again and start again several times until he/she is satisfied with the recording.

Once the final recording is made, he/she removes (Figure 3f) the protecting film 9 which, via the tongue 10, provokes removal of the removable deactivating element 11.

The recording means being deprived of contact with the rest of the components 3, they become inactive.

The user may then fix the device 1 on a support 12 via the adhesive tape 8 which is bared due to the removal of the protecting film 9.

In this way, thanks to the device according to the invention, it is possible to accompany any object whatsoever with a sound message, and this very simply, while ensuring that the message is not erased accidentally.

#### CLAIMS

- Sound recording and reproduction device (1) comprising recording means associated with means for reproducing said sounds, means (8) for fixing said device on a support (12), said fixation means (8) comprising an adhesive means associated with a removable protecting member (9), as well as means (11) for irreversibly deactivating the recording function, characterized in that the deactivating means (11) comprise a removable element whose removal provokes a rupture of contact, and fast with the removable member (9) for protecting the fixation means (8).
- 10 2. Device according to Claim 1, characterized in that the adhesive means (8) is a double-face adhesive tape and the removable protecting member (9) is a detachable film.
  - 3. Device according to one of the preceding Claims, characterized in that the recording means and the reproduction means are fixed on a printed circuit board (2).
- 15 4. Device according to Claim 3, characterized in that the recording means, the reproduction means and the deactivating means are fixed on a first face of the printed circuit board (2).
  - 5. Device according to Claim 4, characterized in that the fixation means (8) are fixed on the second face of the printed circuit board (2).

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- 6. Device according to one of the preceding Claims, characterized in that the removable element (11) is connected to the protecting film (9) by a tongue (10).
- 7. Device according to one of the preceding Claims, characterized in that the recording means comprise a microphone actuated by control means such as a button (4), and in that they further comprise a memory of erasable re-recordable type.
- 8. Device according to one of the preceding Claims, characterized in that the reproduction means comprise a loud-speaker actuated by control means such as a button (5).

### DISPOSABLE SOUND RECORDING AND REPRODUCTION DEVICE

The invention concerns a sound recording and reproduction device (1) comprising recording means associated with means for reproducing said sounds and means for irreversibly deactivating (11) the recording function, characterized in that it comprises means for fixing (8) said device on a support (12) associated with the deactivating means (11) so that when they shift from a passive state to an active state, the deactivating means (11) are actuated.

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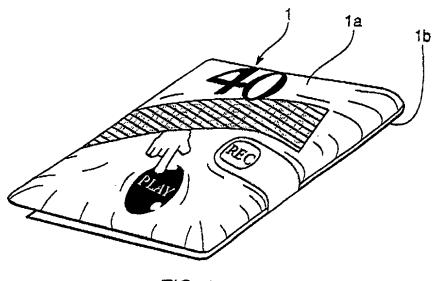


FIG. 1

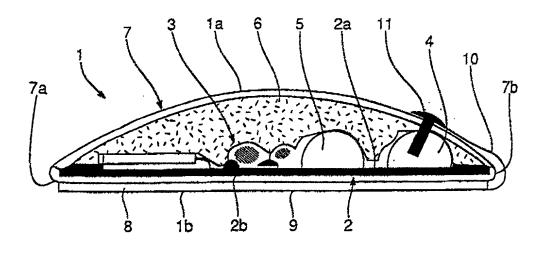
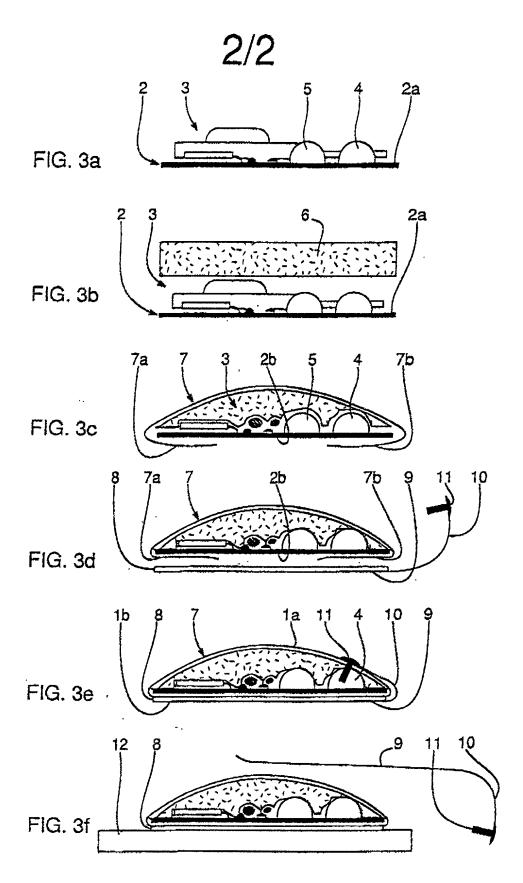


FIG. 2



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#### Law Offices of Jacobson Hoeman

PROFESSIONAL LIMITED LIABILITY COMPANY
THE JENIFER BUILDING
400 SEVENTH STREET, N.W.

WASHINGTON, DC 20004

		Att	ny's Docket No.					
		SMALL ENTITY DECLARATION						
Each und	ersion	[37 CFR 1.9(c-f)] ned declares that:						
	(1)	the application attached hereto.						
	(2)							
	(3)	U.S. Application Serial No, filed						
is entitled	• •							
Is entitled to the benefits of "small entity" status for paying reduced fees under 35 USC 41(a) and (b) to the Patent and Trade virtue of the following:								
as define	(4) d in 37	Each undersigned declares that he/she qualifies as an independent inventor CFR 1.9(c).	or, or would qualify had he/she made the					
concern q remain wi 1.9.	(5) uslifie: th the	The undersigned declares that he/she is an official empowered to act on be as a small business concern as defined in 37 CFR 1.9(d); that exclusive rights to small business concern, or if the rights are not exclusive, that all other rights below	the invention have been command to and					
organizati	on qua	The undersigned declares that he/she is an official empowered to act on behallifies as a nonprofit organization as defined in	alf of the organization identified below; that					
		(a) 37 CFR 1.9(e)(1)						
		(b) 37 CFR 1.9(e)(2)						
		(c) 37 CFR 1.9(e)(3)						
	that e	(d) 37 CFR 1.9(e)(4) State law of exclusive rights to the invention have been conveyed to and remain with the organizations as defined in 37 CFR 1.9.	ation, or if the rights are not exclusive, that					
under conf	(7) ract or	Each person, concern or organization to which I/we have assigned, granted, co r law to assign, grant, convey, or license any rights in the Invention is listed below	nveyed or licensed, or am under an ;					
		(a) no such person, concern or organization						
	(a sep status	<ul> <li>(b) persons, concerns or organization listed below parate declaration is required from <u>each</u> named person, concern or organization have as as "small entities.")</li> </ul>	ing rights to this invention averring to their					
Full Name	GR	EAT WEALTH CO LTD						
Address	3r	d floor. Jonsim place. 228 Oueens road,	East Wanchai, Hong Kong					
		☐ Individual X Small Business Concern ☐ N	ionprofit Organization					
entity pitor	to pay	dge the duty to file, in this application or patent, notification of any change in statu ring, or at the time of paying, the earliest of the issue fee or any maintenance fee due r appropriate. (37 CFR 1.28(b))	s resulting in loss of entitlement of small after the date on which status as a small					
by fine or in the validity	of the	clare all statements made herein of his/her own knowledge are true and that all sta true; and further that these statements were made with the knowledge that willful fi nment, or both, under Section 1001 of Title 18 of the United States Code and that suc application, any patent issued thereon, or any patent to which this declaration is o	alse statements so made are punishable					
		DUBOIS Jean-Pierre Typed Name of Inventor Typed Name of Inventor	Se 4/10/01					
	:	LARZUL Jean-Pierre Typed Name of Inventor Signature	Date ( 10/0 )					
	•	Typed Name of inventor Signature	Date					
	- /01	Typed Name of Inventor Signature	Date					
•	(9)	Name of Small Business Concern or Nonprofit Organization						
	-	Typed Name Signature	Pate					

Signature

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Title of Signatory